



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1997

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

BY: Kim Bight-Coleman *KBC*
Associate General Counsel

SUBJECT: MURs 4382 & 4401

I. BACKGROUND

On May 6, 1997, the Commission found reason to believe that Dole for President, Inc., and Robert Lightizer, as treasurer (collectively referred to as the "Primary Committee") violated, *inter alia*, 2 U.S.C. § 441a(f), by accepting apparent excessive contributions from several state party committees, including the Nebraska Republican Federal Campaign Committee and Bob Bennie, as treasurer (collectively referred to as the "Nebraska Republicans"). The Commission also found reason to believe that the Nebraska Republicans violated 2 U.S.C. §§ 441a(a)(2) and 434(b) by making an apparent excessive contribution to the Primary Committee, but determined to take no further action with respect to this transaction.

II. DISCUSSION

Based upon the Commission's discussion of the apparent excessive contribution from the Nebraska Republicans, the Office of the General Counsel believes that the Commission intended to take no further action against the Primary Committee with respect to its acceptance of the excessive contribution from the Nebraska Republicans. However, the certification of the Commission's May 6, 1997 findings, does not reflect this additional determination. In addition, the Commission did not close the file with respect to the Nebraska Republicans. Accordingly, this Office recommends that the Commission take no further action against the Primary Committee with regard to the receipt of an apparent excessive contribution from the Nebraska Republicans, as alleged in the complaint in MUR 4382, and close the file with respect to the Nebraska Republicans.

22-04-405-4357

III. RECOMMENDATIONS

1. Take no further action against Dole for President, Inc., and Robert Lightizer, as treasurer, with regard to the receipt of an apparent excessive contribution from the Nebraska Republican Federal Campaign Committee and Bob Bennie, as treasurer, as alleged in the complaint in MUR 4382; and
2. Close the file with respect to the Nebraska Republicans.

Staff assigned: Peter G. Blumberg
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